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FM AMEMBASSY ANKARA
TO RUEHC/SECSTATE WASHDC PRIORITY 8810
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 03 ANKARA 005463

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E.O. 12958: DECL: 09/15/2016
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [OSCE](#) [TU](#)
SUBJECT: EU-TURKEY DISCONNECT LENDS CREDENCE TO POSSIBLE
TRAIN WRECK SCENARIO

REF: A. ANKARA 5268

[B](#). ANKARA 5333

[C](#). ANKARA 5121

Classified By: Political Counselor Janice G. Weiner for reasons 1.4 b,
d

[1](#)1. (C) Summary: Fears of some form of "train wreck" in Turkey's EU accession process appear well-founded, given the apparent disconnect between cautiously optimistic Turkish officials and less sanguine EU contacts. In recent conversations, GOT officials have predicted that the EU may suspend negotiations on two or three chapters, while our EU contacts put the figure at over ten, to include de facto suspension. The GOT's previous track record of overcoming eleventh hour hurdles may be giving the Turks false confidence. At the same time, the unsung good news story is that technical talks and screening are progressing well and more EC monies are flowing than ever before. Unfortunately, the lack of an active public relations policy appears to be preventing the good news part of the message from reaching the ever more euro-skeptic Turkish public. End summary.

Parliament's Agenda for the September 19 Special Session

[1](#)2. (U) The Turkish Parliament will meet in a special session on September 19 to consider EU harmonization legislation prior to the European Commission's annual progress report, due out October 24. According to EU and Turkish officials with whom we have spoken, the Commission's formal deadline for incorporating new laws and events into the report is September 30, but significant events that occur in early October may still be considered. Parliament has put seven laws from the so-called 9th EU harmonization package on the agenda for the session (ref a). Two of these -- the Ombudsman Law and the Law on Private Education -- are out of committee and ready for the general assembly. Passage of the Ombudsman Law would bring Turkey into line with EU countries by creating a body to analyze and make recommendations regarding the functioning of the government. The Private Education law would change currently existing language that bars those not of "Turkish origin" from serving as Deputy Directors at private schools. Currently, only Directors may be of non-Turkish origin.

[1](#)3. (U) The other draft laws remain in committee, as follows:

-- The Law on Amending the Settlement Law: Currently in the Settlements and Transportation Committee, this draft would alter a long-standing law on settling in Turkey, removing language that excludes Roma;

-- The Foundations Law: The draft, which attempts to remove various restrictions faced by religious minorities regarding

training, work permits, management, and property rights, is in the Justice Committee;

-- The Law Amending the Law on the Court of Audits: This law, which would allow civil auditing of military expenditures, is currently with the Planning and Budget Committee;

-- Both the Law on the Ratification of the Amendments in the European Social Charter and The Law on the Ratification of the Revised European Social Charter are currently in the Foreign Relations Committee.

Turkish Officials Stirred But Not Shaken

14. (C) GOT officials remain cautiously optimistic regarding Turkey's accession progress, and downplay Turkish and international press reports that suggest a "train wreck" may be imminent. In a meeting on September 13, the genial and polished Justice and Development Party (AKP) Parliamentarian and Justice Committee Chairman Koksak Toptan told us that in the lead up to the October 2005 start of negotiations, the GOT put forth an extraordinary effort, but that such a pace is not necessary now. Toptan stated, "When I listen to EU and Turkish officials, things are okay. As far as I know, there is no problem." Toptan acknowledged some problems, however, which he attributed to EU-bashing by groups who stand to benefit from seeing the talks collapse. He noted that things would proceed more rapidly and smoothly if Ali Babacan were not stretched thin by maintaining the dual portfolio of Economic Minister and Chief EU Negotiator. Toptan was not aware of any potential change in Babacan's portfolio.

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15. (C) Other GOT officials echoed Toptan's assessment that an impasse is not imminent. Ahmet Aydin Dogan, the Political Head at Turkey's EU Secretariat, which coordinates Turkey's EU harmonization effort, predicted that during the special session, Parliament will pass all seven EU laws on the agenda. Dogan told us that he expected the opposition to challenge the Foundations Law and several other laws, but because "most of the majority find the drafts acceptable," all laws would be passed. (Comment: The opposition may bluster, but AKP has 355 of 550 seats. End comment.)

16. (C) Our MFA contacts, although recognizing potential problems, expressed optimism about the state of affairs. MFA EU Directorate General Department Head Muhsin Kilicaslan dismissed the European Parliament's recent highly critical report as exaggerated and the result of various EU countries, internal politics. According to both Kilicaslan and fellow MFA Department Head Emre Yunt, the GOT has been hard at work, internally and with EU colleagues, preparing the various laws of the 9th Reform Package. Kilicaslan said he believes that the EU Commission's annual report, due out in October, will be critical but fair. Although Kilicaslan recognizes that Turkish and European public sentiment toward Turkey's accession has been souring, he sees the current issues as "bumps in the road" that Turkey will surmount just as it did during past critical moments.

Changes in Mentality Take Time

17. (C) GOT officials continue to note that even though the government can, and will, continue to make legal changes on paper, real change on human rights issues requires an altered societal attitude that will not happen quickly. Regarding controversial Turkish Penal Code 301, oft-cited as stifling free speech, Justice Committee Chairman Toptan told us that, from a procedural standpoint, Parliament can change the law

rather easily, but real reform requires a cultural transformation. Toptan went on to describe Turkey's internal struggle to achieve a balance between free expression and law enforcement "to prevent anarchy." Toptan would not comment on whether Article 301 would be added to the September 19 session agenda.

¶8. (C) Ahmet Aydin Dogan brought up women's issues to make his point that the EU cannot expect Turkey to turn on a dime. Dogan pointed out that honor killings, while horrific, also are carried out in some European countries as part of old but misguided traditions. In Dogan's view, the passage of harmonization laws related to women's rights is a positive step, but the EU is misguided in expecting Turkey immediately to be able to end honor killings and other human rights violations. When asked his views on a realistic timeline for substantive change on such issues, Dogan predicted it would take a generation.

Cyprus: Turkey's Red-Line

¶9. (C) Cyprus is uniformly seen by our contacts as an issue on which the GOT will not budge. Justice Committee Chairman Toptan reiterated the familiar line that the GOT is waiting for the EU to fulfill promises made prior to the 2005 referendum on the Annan Plan, stating, "unless the isolation is lifted, the GOT will make no move on this issue." At the working level, the passion is even more evident. EU Secretariat Political Head Dogan insisted that "Turkey is 100

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per cent right on this issue! The EU violated its own principles by accepting a divided island." Although Dogan believes the EU will suspend the three or four chapters that most involve Cyprus, such as Transportation and Customs, he was adamant that the GOT will not change its stance.

EU Perspective: Turkey's Barely Passing Grade

¶10. (C) Several European contacts expressed to us that the GOT's confidence that Parliament will pass the necessary group of laws this month reflects Turkey's failure to embrace true reform. Dutch poloff van Haaften summarized the prevailing view: "While Turkey has made impressive progress and come far, there is a real lack of political enthusiasm for the EU process on a high political level." French poloff Roquefeuil told us that even though Turkey's committing troops to UNIFIL sent a positive message to Europe, the French will push the EU to send a "strong message" to Turkey that its slow pace of reform since negotiations opened is not acceptable. Roquefeuil said that it is critical for Turkey

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to pass all of the 9th Reform package to avoid a "very negative" Commission report.

¶11. (C) EU contacts blame part of the recent drop-off in Turkish and European public support on poor public relations strategy. Neither side has adroitly publicized the positive developments. Citing the GOT's recent anger over the release of a Trafficking in Persons documentary critical of Turkey (ref c), van Haaften said that Turkey missed a good opportunity to turn a negative situation to its advantage by publicizing the great progress Turkey has made on trafficking issues. At the same time, van Haaften acknowledged the EU's tendency to focus on high-profile cases, such as that of Orhan Pamuk, while failing to carry out a coordinated public relations campaign in Europe that spotlights areas of progress.

¶12. (C) European Commission officer Dawson echoed the lament that a poor public relations strategy is preventing the good

news angle from getting out. There is a clear difference between perception and reality. The Euro 400 million in grants for 2006 is the highest amount the Commission has ever disbursed, and the EC mission staff in Turkey is now their largest anywhere in the world. Both on screening and on a technical level, talks are proceeding well. In fact, Dawson said, EC cooperation with the Turks has never been better or more intense. It is, he said, a qualitative shift.

EU-Turkey Disconnect

¶13. (C) GOT and EU contacts appear to agree that suspension of negotiation on several Chapters is the likeliest outcome of the Cyprus controversy. But a disconnect exists over the severity of the steps the EU may pursue. Both Justice Committee Chairman Toptan and Turkey's EU Secretariat Political Chief Dogan told us that the EU will probably suspend three or four chapters related to Cyprus, which would allow progress on many other chapters to progress at full-speed. EU contacts, on the other hand, indicated that perhaps as many as 12 to 15 chapters will be suspended. German DCM Prueger told us that while he does not believe de jure suspension is on the agenda, the December Council could go as far as de facto suspension, with no chapters opening and a halt to screening. Each successive presidency would then examine the situation to see if sufficient progress had been made to warrant resuming work. Prueger added, though, that even in that case, the EC's extensive technical cooperation would continue, laying the groundwork for further progress. According to van Haaften, "the EU is struggling to find the balance between suspending enough chapters to push the Turks and maintain credibility for its own internal purposes, and avoiding a backlash in Turkey." In her view, the EU Parliament's seriously critical Eurling Report, and Turkey's rather defiant response to it, is indicative of the disconnect and may signal more serious problems to come.

Comment

¶14. (C) The disconnect is real. Turkey and the EU have made it over previous hurdles by dint of last minute negotiations and perseverance. The near miss on the opening and closing of the supposedly uncontroversial Science and Research Chapter at the EU's June ministerial is just the latest example. These past eleventh hour deals may have given the Turks false confidence that they can make it over this next hurdle as well without offering some form of compromise on opening ports and airports to the ROC. We will continue to give the Turks the message that, with both parties having drawn their lines in the sand, absent some movement, they need to prepare themselves for a different reality.

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